Sec. 4. Section 985 of the Evidence Code is amended to read:

985. There is no privilege under this article in a criminal proceeding in which one spouse is charged with:
(a) A crime committed at any time against the person or property of the other spouse or of a child of either.
(b) A crime committed at any time against the person or property of a third person committed in the course of committing a crime against the person or property of the other spouse.
(c) Bigamy ~~or adultery~~.
(d) A crime defined by Section 270 or 270a of the Penal Code.

Strikeout and italic as indicated

Sec. 5. Section 220 of the Penal Code is amended to read:

220. Every person who assaults another with intent to commit rape, ~~the infamous crime against nature~~ sodomy, mayhem, robbery, or grand larceny, is punishable by imprisonment in the ~~S~~state prison not less than one year nor more than twenty years.

Sec. 6. Section 269a of the Penal Code is repealed.

Strikeout and italic as indicated

~~269a. Every person who lives in a state of cohabitation and adultery is guilty of a misdemeanor and punishable by a fine not exceeding one thousand dollars, or by imprisonment in the county jail not exceeding one year, or by both.~~

AB 437